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PATENT
Attorney Docket No. 440566

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:

BENSCH et al.

Application No. 10/088,175

Filed: March 15, 2002

Art Unit: 2856

Examiner: Unassigned

For: METHODS AND SYSTEM FOR
COUNTING PARTICLES AND SENSING
WATER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Response to Notice of Non-Compliant Amendment

Dear Sir:

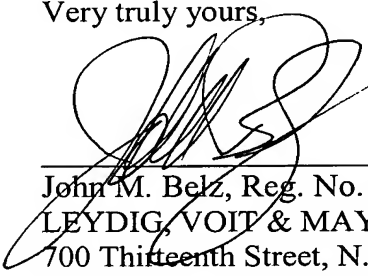
It is respectfully contended that no listing of the claims was required in the September 15, 2005, Reply because the claims were not amended in that Reply. Rather, a Preliminary Amendment filed on December 13, 2002 accompanied the September 15, 2005, Reply to show the correct status of the claims. When the December 13, 2002, Preliminary Amendment was filed, the PTO did not require a listing of claims with status identifiers.

The September 15, 2005, Reply did not include and, should not have included an "Amendments to the claims" section because the claims were not amended in that Reply. However, to expedite prosecution a listing of the pending claims showing the status

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identifiers is attached. All status identifiers refer to the status of the claims as of the filing of the December 13, 2002, Preliminary Amendment. No further amendments to the claims have been made since then.

Very truly yours,



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Date: *22 Dec 2005*

JMB/sp1